

1-1 By: Ellis S.B. No. 129
1-2 (In the Senate - Filed November 10, 2008; February 10, 2009,
1-3 read first time and referred to Committee on Transportation and
1-4 Homeland Security; April 1, 2009, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 9,
1-6 Nays 0; April 1, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 129 By: Ellis

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the maximum speed limit for a neighborhood electric
1-11 vehicle being operated on a street or highway.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subdivision (1), Section 551.301,
1-14 Transportation Code, as amended by Chapters 281 (H.B. 2702) and
1-15 1242 (H.B. 1596), Acts of the 79th Legislature, Regular Session,
1-16 2005, is reenacted and amended to read as follows:

1-17 (1) "Neighborhood electric vehicle" means a vehicle
1-18 that can attain a maximum speed of 35 miles per hour on a paved level
1-19 surface and otherwise complies with ~~[subject to]~~ Federal Motor
1-20 Vehicle Safety Standard 500 (49 C.F.R. Section 571.500).

1-21 SECTION 2. Subsection (a), Section 551.303, Transportation
1-22 Code, is amended to read as follows:

1-23 (a) A neighborhood electric vehicle may be operated only on
1-24 a street or highway for which the posted speed limit is 45 ~~[35]~~
1-25 miles per hour or less. A neighborhood electric vehicle may cross a
1-26 road or street at an intersection where the road or street has a
1-27 posted speed limit of more than 45 ~~[35]~~ miles per hour. A
1-28 neighborhood electric vehicle may not be operated on a street or
1-29 highway at a speed that exceeds the lesser of:

1-30 (1) the posted speed limit; or

1-31 (2) 35 miles per hour.

1-32 SECTION 3. This Act takes effect immediately if it receives
1-33 a vote of two-thirds of all the members elected to each house, as
1-34 provided by Section 39, Article III, Texas Constitution. If this
1-35 Act does not receive the vote necessary for immediate effect, this
1-36 Act takes effect September 1, 2009.

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